

### REMARKS

Reconsideration of this application is respectfully requested in view of the foregoing amendment and the following remarks.

Claims 1-43 were currently pending. Applicants have amended claims 1-5, 17, 18, 21-24, 26, 28, 30, 31, 33, 36, 38, and 42 to more clearly define the present invention. Applicants have also canceled claim 20 without prejudice. After entry of these amendments, claims 1-19 and 21-43 will be pending. For the reasons stated below, Applicant respectfully submits that all claims pending in this application are in condition for allowance.

In the Office Action mailed July 10, 2003, claims 1-8, 12-15, 17-22, 26, 31-32, 38, and 41 were rejected under 35 U.S.C. 102(e) as being anticipated by Malik et al. ("Malik"). Claims 10, 24, 33-36, and 42-43 were rejected under 35 U.S.C. 103(a) as being unpatentable over Malik in view of Alperovich et al. ("Alperovich"). Claims 11, 28-30, and 39-40 were rejected under 35 U.S.C. 103 (a) over Malik in view of Valentine ("Valentine"). Finally, claims 16 and 23 were rejected under 35 U.S.C. 103(a) over Malik in view of LeBlanc ("LeBlanc"). To the extent these rejections might still be applied to claims presently pending in this application, Applicants respectfully traverse these rejections.

The present invention relates to methods and systems for providing a service that delivers location information associated with a caller. The service operates in both wireline and wireless networks, providing called parties with the location information of calling parties who use either stationary or wireless telephones. Therefore, a subscriber can use the valuable location information to better screen calls and to fulfill other location-sensitive purposes. (See, *e.g.*, the

specification at page 5, lines 1-12.) As recited in amended claim 1, a method of the present invention includes, among other things, transmitting a call from a calling party's central office to a called party's central office, wherein data associated with the call includes a directory number of the calling party, triggering a query to a service control point from the called party's central office, retrieving location information associated with the calling party from an address database storing the calling party's directory number and location information, wherein the location information of the calling party is recorded by a location-tracking network, returning the location information to the called party's central office, and terminating the call and delivering the location information to the called party. Importantly, the call from the calling party is directed to the called party's central office. The called party's central office, not the calling party's central office, obtains location information of the calling party by sending a query to a service control point and terminates the call and delivers the location information.

Malik fails to teach or suggest the features as recited in amended claim 1. Malik describes a method and system for transmitting a message obtained from a message delivery database in a calling name delivery service environment, which allows a calling party to send a message to a called party without having to utilize a voice mail or answering service. To use the message delivery function, as described in Figure 3 and col. 8, lines 40-49, Malik requires the calling party to press a code number after dialing the called party's telephone number. The call from the calling party is transmitted to SSP 100 (*i.e.*, calling party's central office), and then SSP 100 launches a query to SCP 106 via STP 104. Next, as described in col. 9, line 63 to col. 11, line 27, SCP 106 instructs SSP 100 via STP 104 to select one or more messages from a message

delivery database. After the selections are completed, SCP 106 transmits a response message to SPP 100 so that SPP 100 transmits the response message to called party's SSP 102 (*i.e.*, called party's central office). Afterward, the calling party can just hang up the telephone without having to talk with the called party.

Accordingly, in Malik, before a call placed by the calling party is directed to the called party's central office, the calling party has to select messages from a group of messages stored in the message delivery database. As described in col. 11, lines 58-65, the selected messages, in the form of a prefix are delivered to the called party's central office. The called party's central office, upon seeing the prefix, triggers a query to request a global title translation for the messages. Malik, however, fails to teach or suggest retrieving *location* information associated with the calling party from an address database that stores the calling party's directory and location information, wherein the location information of the calling party is recorded by a location-tracking network, as recited in amended claim 1.

Applicants respectfully disagree with the Examiner's statement that Malik, in col. 8, lines 50-65, retrieves location information associated with the calling party. As described in col. 8, lines 60-62, the calling party address parameter 210 and a called party address parameter 212 are also known as the global title. Based on an explanation described at page 328 in Newton's Telecom Dictionary (that is enclosed as attached), the global title is an address such as customer-dialed digits that does not explicitly contain information that would allow routing in the SS7 signaling network. That is, a global title translation function is necessary to translate a global title from dialed digits to a point code (network node) address and application address

(subsystem number). Accordingly, the address parameters 210 and 212 in Malik can be regarded as network node address and application address, respectively, which are different from the location information stored in the address database recited in Applicants' amended claim 1.

Accordingly, Applicants respectfully submit that Malik fails to teach or suggest the features as recited in claim 1 and amended claim 1 is patentable under 35 U.S.C. 102(e) over Malik.

Similar features of the location information are also recited in amended independent claims 17 and 38. In view of the above reasons, Applicants respectfully submit that claims 17 and 38 are patentable over Malik and that the rejection of these claims under 35 U.S.C. 102 (e) over Malik should be withdrawn.

Applicants also respectfully submit that dependent claims 2-8, 12-15, 18-19, 21-22, 31-32, and 41 are patentable at least due to their dependencies to patentable independent claims 1, 17, and 38.

Applicants' independent claims 33 and 42 were rejected under 35 U.S.C. 103(a) over Malik in view of Alperovich. The Examiner admitted that Malik fails to disclose a second communication link to an address database that cross-references calling party location information with directory numbers, but alleged that Alperovich teaches, in an analogous art, that a second communication link to the address database.

Applicants respectfully traverse this rejection. First, Malik fails to teach or suggest that an address database that stores the directory number and location information of the network device (*i.e.*, the calling party), as recited in the amended claim 33. Second, Malik and

Alperovich both fail to teach or suggest a service control point adapted to, in response to the query (sent from the called party's central office), search the address database for the calling party's location information corresponding to the directory number and return a response message to the called party's central office with the calling party's location information, as recited in amended claim 33. Alperovich, as described in col. 2, lines 1-5, col. 4, lines 37-42, and lines 53-57, determines a location of the calling party at an original switch (*i.e.*, calling party's central office), and transmits the location information to the called party through the called party's central office. That is, the location information has been retrieved before the call is transmitted to the called party's central office. Thus, in Alperovich, there is no need for the called party's central office to send a query to the service control point requesting for the calling party's location information.

Accordingly, neither Malik nor Alperovich teaches or suggests the service control point of Applicants' claim 33. Applicants, therefore, respectfully submit that claim 33 and its dependent claims 34-36 are patentable over Malik in view of Alperovich under 35 U.S.C. 103(a) and that the rejection of these claims should be withdrawn.

Similarly, neither Malik nor Alperovich teaches or suggests a method of delivering a wireless calling party's location as recited in amended independent claim 42. As described above, Malik does not retrieve a location of the calling party, wherein the location is recorded by a location-tracking network, as recited in amended claim 42. Alperovich fails to teach or suggest the retrieval of the location information in response to a query that is generated at the called

party's central office, as recited in amended claim 42. Indeed, to the contrary, the location retrieval in Alperovich is done at the calling party's central office.

There is also no motivation for one skilled the art to combine Malik and Alpervoich to achieve the present invention. As described above, Malik only relates to delivering messages, of which the translation is requested at the called party's central office. Alpervoich, however, requests location information at the calling party's central office and the called party's central office does not generate a query. As Malik and Alpervoich relate to two different concepts, it would not have been obvious for one skilled in the art to combine these two references to achieve the methods as recited in Applicants' claims 33 and 42.

Accordingly, Applicants respectfully submit that claims 33 and 42 are patentable over Malik in view of Alpervoich and that the rejection of these claims under 35 U.S.C. 103(a) should be withdrawn. Similarly, dependent claims 32-36 and 43 are patentable at least due to their dependencies from patentable independent claims 33 and 42. Furthermore, claims 10 and 24 should be patentable at least due to their dependencies from independent claims 1 and 17. The rejection of these claims under 35 U.S.C. 103(a) over Malik in view of Alperovich should be withdrawn.

The rejection of claims 11, 28-30, and 39-40 under 35 U.S.C. 103(a) over Malik in view of Valentine should be also withdrawn at least due to their dependencies from patentable independent claims 1, 17, and 38.

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Similarly, the rejection of claims 16 and 23 under 35 U.S.C. 103(a) over Malik in view of LeBlanc ("LeBlanc") should be withdrawn at least due to their dependencies from patentable independent claims 1 and 17.

In view of the foregoing all of the claims in this case are believed to be in condition for allowance. Should the Examiner have any questions or determine that any further action is desirable to place this application in even better condition for issue, the Examiner is encouraged to telephone applicants' undersigned representative at the number listed below.

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Respectfully submitted,

SAMUEL N. ZELLNER ET AL.

Date: October 7, 2003

By:

  
Wan-Ching Y. Montfort

Attachments: a photocopy of page 328 of "Newton's Telecom Dictionary"

AB/CYM/dkp